

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT HUDSON,

Plaintiff,
-against-

PETER FORMAN, Dutchess County Judge;
MICHAEL HAYES, Dutchess County
Supreme Court Surrogate's Judge; THE
DUTCHESS COUNTY CLERK; THOMAS
ANGELL, Dutchess County Public Defender,
Attorney; DUTCHESS COUNTY
ATTORNEY; THE COUNTY OF
DUTCHESS; DUTCHESS COUNTY
DISTRICT ATTORNEY,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/6/20

ORDER

19 CV 11192 (VB)

Copies Mailed/Faxed 2/6/20
Chambers of Vincent L. Briccetti *[Signature]*

In an Order of Dismissal dated January 17, 2020, the Court dismissed plaintiff's complaint under the doctrines of Eleventh Amendment immunity, prosecutorial immunity, judicial immunity, for failure to state a claim on which relief may be granted, and as frivolous. (Doc. #27). In the same and Order, the Court further DENIED AS MOOT the motion to dismiss filed by defendants Dutchess County Clerk, Thomas Angell, Dutchess County Attorney, the County of Dutchess, and the Dutchess County District Attorney (Doc. #21).

In a document dated January 25, 2020, plaintiff, who is proceeding pro se, submitted a "Complainant Response To Defendants Answer to Complaint, If Decision Already Entered, Application for Reconsideration." (Doc. #29). The Court construes this filing as an opposition to defendants' motion to dismiss. As noted above, the Court has already dismissed this case and DENIED AS MOOT defendants' motion to dismiss. Accordingly, there is no pending motion to which plaintiff need respond.

To the extent the plaintiff requests the Court reconsider the Order of Dismissal, such request is DENIED.

Plaintiff does not present any "intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." Catskill Dev., L.L.C. v. Park Place Entm't Corp., 154 F. Supp. 2d 696, 701 (S.D.N.Y. 2001) (quoting Doe v. N.Y.C. Dep't of Soc. Servs., 709 F.2d 782, 789 (2d Cir. 1983)). Accordingly, plaintiff cannot prevail on a motion for reconsideration.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

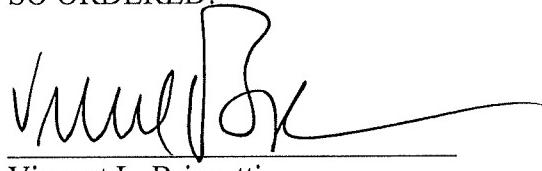
Because plaintiff's recent correspondence indicates that his address has changed, Chambers will mail a copy of this Order, as well as a copy of the Court's Order of Dismissal (Doc. #27) to plaintiff at the address on the docket and the following address:

Robert Hudson
Dutchess County Jail
150 N. Hamilton Street
Poughkeepsie, NY 12601

The Clerk is directed to terminate the motion. (Doc. #29).

Dated: February 6, 2020
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge